IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Crl.Rev.Pet.No. 3231 of 2007()

CRA.212/2006 of ADDL.SESSIONS COURT-III, KOZHIKODE
CC.217/2005 of JUDL.MAGISTRATE OF FIRST CLASS, PAYYOLI

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REVN. PETITIONER:

T.P. IBRAHIM, S/O. MOIDEEN, AGED 39 YEARS,
TEACHER, KAYANA GOVT. U.P. SCHOOL, KAYANA BAZAR P.O.
KOYILANDY, KOZHIKODE DISTRICT

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS:

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1. P.SURESH, S/O. APPUKUTTY NAMBIAR, AGED 38 YEARS
L.I.C. AGENT, PALAYULLATHIL HOUSE, MEPPAYUR POST
KOZHIKODE DISTRICT

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY ADV. SRI.SANTHEEP ANKARATH
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 04-09-2007 THE COURT ON 04/09/2007 PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.3231 of 2007

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Dated: 4th September 2007

ORDER

The accused in C.C. No. 217 of 2005 on th**e file** of the Judicial Magistrate of the First Class , Payyoli for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9385 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money if any, deposited by the revision petitioner pursuant to the orders if any passed by the lower appellate court shall be refunded to the revision petitioner.

3. The revision petitioner shall be released from prison forthwith unless his continued detention is found necessary in connection with any other case.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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